

**TITLE XIII: GENERAL OFFENSES**

Chapter

**130. GENERAL OFFENSES**



## CHAPTER 130: GENERAL OFFENSES

### Section

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#### ***Cross-reference:***

*Animals, see Chapter 91*

#### ***Statutory reference:***

*General powers concerning public safety, see I.C. 36-8-2*

### **§ 130.01 AUTHORITY TO REGULATE OFFENSES.**

(A) The town may regulate the conduct, use, or possession of property which might endanger the public health, safety, or welfare of its citizens.

(B) The town may establish, maintain, and operate a police and law enforcement system to preserve public peace and order and may provide facilities and equipment for that system.

(C) The town may regulate the introduction of any substance or odor into the air, or any generation of sound.

(D) The town may regulate public gatherings such as shows, demonstrations, fairs, conventions, sporting events, and exhibitions.

(`99 Code, § 6-4)

### **§ 130.02 STATE LAW APPLICABLE.**

All offenses against public health, order, or decency not addressed by this code shall be governed by applicable state statute.

(`99 Code, § 6-7)

**§ 130.03 INTERFERING WITH TOWN OFFICIAL.**

(A) It shall be unlawful for any person or persons to knowingly or intentionally interfere, or attempt to impede or interfere with any town official or employee in the performance of their official duties.

(B) It is a defense to prosecution under this section that the hindrance, obstruction, resistance, or interference alleged consisted of constitutionally protected speech only.

(`99 Code, § 6-8) Penalty, see § 130.99

**§ 130.04 DISCHARGING FIREARMS.**

(A) It shall be unlawful for any person, firm, or corporation to discharge any rifle, BB gun, air or gas powered pellet gun, or other solid pellet firearm, or any projectile missile or any archery bow and arrow or crossbow, within the limits of the town; provided that this section shall not be construed to prohibit any officer of the law, member of the armed forces of the United States or National Guard, to discharge a firearm in the performance of his or her duty, nor to any person to discharge a firearm when lawfully defending his or her person or property.

(B) Provided, however, it shall not be illegal to discharge a firearm or archery bow and arrow or crossbow within the limits of the town pursuant to a special deer permit issued to the town, or any of its Boards or Commissions, by the Indiana Department of Natural Resources, or any other department of government authorized to issue a special deer permit.

(`99 Code, § 6-95) (Ord. 358, passed 12-2-63; Am. Ord. 676, passed 5-6-02; Am. Ord. 756, passed 11-7-11; Am. Ord. 767, passed 9-12-12) Penalty, see § 130.99

**§ 130.05 FEEDING OF CERTAIN WILD ANIMALS.**

Any feeding of deer and/or raccoons within the corporate boundaries of the town is hereby prohibited. The prohibition on feeding deer shall not apply to any individual acting in connection with a special deer permit issued to the town, or any of its boards or commissions, by the Indiana Department of Natural Resources, or any other department of government authorized to issue a special deer permit. The town, or any of its boards or commissions, acting pursuant to a special deer permit or any other State of Indiana authority, may feed deer in any manner deemed appropriate by the town, including, but not limited to, the four-poster deer treatment bait station, or such similar feeding stations.

(Ord. 747, passed 12-29-10; Am. Ord. 767, passed 9-12-12; Am. Ord. 782, passed 4-15-13) Penalty, see § 130.99

**§ 130.99 PENALTY.**

(A) Whoever violates any provision of this chapter for which no specific penalty is otherwise provided, shall be subject to the provisions of § 10.99.

(B) Any person, firm, or corporation violating any of the provisions of § 130.04 shall be subject to a minimum fine of \$25 if paid to the Clerk-Treasurer within five days of the violation; and thereafter shall be subject to a fine of \$100 for such violation.

(C) The fine for a first violation of § 130.05 shall be \$250 and any subsequent violations of § 130.05 by the same person shall be subject to the General Penalty provisions contained in § 10.99 of the Town Code.

(`99 Code, § 6-96) (Ord. 385, passed 12-5-66; Am. Ord. 655, passed 12-6-99; Am. Ord. 747, passed 12-29-10; Am. Ord. 782, passed 4-15-13)

